

## **Assembly Bill No. 2321**

### **CHAPTER 526**

An act to add Sections 3068 and 3070 to the Penal Code, relating to parole, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 15, 1998. Filed  
with Secretary of State September 16, 1998.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

**AB 2321, Knox. Preventing Parolee Crime Program.**

Existing law authorizes the Department of Corrections to establish and maintain classes for inmates that provide academic education and industrial education, and trade and vocational training. The department is also authorized to develop and operate work programs to enable inmates to acquire and improve work habits and occupational skills, to assist inmates who have been paroled or discharged in securing employment, to establish a medical facility to provide care and treatment for male inmates who are addicted to controlled substances, and to establish community correctional centers to provide care and treatment for inmates who are addicted to drugs or alcohol.

This bill would require the Department of Corrections to operate the Preventing Parolee Crime Program, including residential and nonresidential multiservice centers, literacy labs, drug treatment networks, and job placement assistance for parolees. The bill would also authorize the parole authority to assign a conditionally released or paroled prisoner to the Preventing Parolee Crime Program in lieu of the revocation of parole. The bill would require the Department of Corrections, in consultation with the Legislative Analyst's office, to contract with an independent consultant, contingent upon funding, to conduct an evaluation regarding the impact of an expansion of the Preventing Parolee Crime Program to additional parole units on public safety, parolee recidivism, and prison and parole costs, and report the results to the Legislature on or before January 1, 2004.

The bill would require the Department of Corrections to develop and report, utilizing existing resources, to the Legislature by December 31, 2000, a plan, as specified, that would ensure by January 1, 2005, that all prisoners and parolees who are substance abusers receive appropriate treatment.

This bill would appropriate \$3,050,000 from the General Fund to the Department of Corrections for the purposes of expanding and evaluating the Preventing Parolee Crime Program, as specified.

This bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares that there is a critical need to address all of the following:

(a) The current high recidivism rate of parolees released from the Department of Corrections.

(b) The high cost and operational difficulties for the criminal justice system and the prison system, and the cost to victims of crime as a result of recidivism.

(c) The already severe overcrowding in the prison system and the projections by the Department of Corrections that the state will run out of space for inmates early in the year 2000, and is short by more than 70,000 the number of beds needed over the next 10 years.

(d) The decision, taken by the Department of Corrections on its own initiative, to begin the pilot program known as Preventing Parolee Failure (PPF) to provide residential and nonresidential multiservice centers, literacy labs, drug treatment networks, and job placement assistance for parolees.

(e) The conclusion by the Department of Corrections, in the May 1, 1997, report to the Legislature, that the PPF program results in net state savings of seventy-four million dollars (\$74,000,000) and 11,000 prison beds over a five-year period.

(f) The conclusion by the Legislative Analyst's office that expansion of the PPF program would result in two dollars (\$2) to three dollars (\$3) in savings for every additional one dollar (\$1) invested by the state.

(g) The fact that some geographic areas of the state are now lacking PPF services provided successfully in other geographic areas of California.

SEC. 2. Section 3068 is added to the Penal Code, to read:

3068. (a) The Department of Corrections shall operate the Preventing Parolee Crime Program with various components, including, at a minimum, residential and nonresidential multiservice centers, literacy labs, drug treatment networks, and job placement assistance for parolees.

(b) The Department of Corrections shall, commencing in the 1998–99 fiscal year, initiate an expansion of the program to parole units now lacking some or all of the elements of the program, where doing so would be cost-effective, as determined by the Director of Corrections, to the extent that funding for the expansion becomes available.

(c) In addition to the assignment by the Department of Corrections of any other parolee to the Preventing Parolee Crime

Program, the parole authority may assign a conditionally released or paroled prisoner to the Preventing Parolee Crime Program in lieu of the revocation of parole. The parole authority shall not assign a conditionally released or paroled prisoner to the Preventing Parolee Crime Program in lieu of the revocation of parole if the person has committed a parole violation involving a violent or serious felony. A special condition of parole that requires the parolee to participate in a live-in program shall not be imposed without a hearing by the Board of Prison Terms.

(d) (1) The Department of Corrections, in consultation with the Board of Prison Terms and the Legislative Analyst's office, shall, contingent upon funding, contract with an independent consultant to conduct an evaluation regarding the impact of an expansion of the Preventing Parolee Crime Program to additional parole units on public safety, parolee recidivism, and prison and parole costs, and report the results to the Legislature on or before January 1, 2004.

(2) The Department of Corrections shall sample several parole units in which the program has been added to examine the program's impact upon the supervision, control, and sanction of parolees under the jurisdiction of the sampled parole units. These results shall be compared with a control group of comparable parole populations that do not have Preventing Parolee Crime Program services.

(3) The report, whether in final or draft form, and all working papers and data, shall be available for immediate review upon request by the Legislative Analyst.

(4) The department in consultation with the Board of Prison Terms shall submit a multiyear evaluation plan for the program to the Legislature six months after an appropriation is made for the evaluation provided for in paragraph (1).

SEC. 3. Section 3070 is added to the Penal Code, to read:

3070. The Department of Corrections shall develop and report, utilizing existing resources, to the Legislature by December 31, 2000, a plan that would ensure by January 1, 2005, that all prisoners and parolees who are substance abusers receive appropriate treatment, including therapeutic community and academic programs. The plan shall include a range of options, estimated capital outlay and operating costs for the various options, and a recommended prioritization, including which persons shall receive priority for treatment, for phased implementation of the plan.

SEC. 4. The sum of three million fifty thousand dollars (\$3,050,000) is hereby appropriated from the General Fund to the Department of Corrections, for allocation in accordance with the following schedule:

(a) Two million eight hundred thousand dollars (\$2,800,000) for the purposes of expanding the Preventing Parolee Crime Program pursuant to subdivision (b) of Section 3068 of the Penal Code.

(b) Two hundred fifty thousand dollars (\$250,000) for the purposes of providing for the independent evaluation of expansion of the Preventing Parolee Crime Program pursuant to subdivision (d) of Section 3068 of the Penal Code.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to reduce the high recidivism rate of parolees released from the Department of Corrections prisons, it is necessary that this act take effect immediately.

